



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Our Ref: 1038-588 MIS:jb

In re patent application

Application No.: 08/634,039

Applicant: Denis P. Snider

Title: METHODS AND COMPOSITIONS CONTAINING  
ANTIGENS HAVING A TARGETING MOIETY  
SPECIFIC FOR ANTIGEN PRESENTING CELLS  
FOR INTRANASAL IMMUNIZATION

Filed: April 17, 1996

Group No.:

Examiner:

DECLARATION UNDER 37 C.F.R. 1.148(a)

I, Michael I. Stewart of 1180 Carey Road, Oakville, Ontario, Canada, L6J 2E4 declare as follows:

1. I prepared and filed this patent application, have a power of attorney herein and am registered to practise before the PTO under Registration No. 24,973.

2. In connection with the preparation of this patent application, I had discussions with Denis P. Snider. During the course of such discussions, I questioned Dr. Snider concerning the inventorship with respect to the subject matter claimed herein, namely the generation of an immune response to an antigen in a host by intranasally administering to the host an antigen coupled to an targeting moiety specific for surface structures of antigen - presenting cells.

3. Dr. Snider identified himself, Brian J. Underdown and Mark R. McDermott as coinventors with respect to the claimed subject matter. I questioned Dr. Snider concerning the respective roles of the three named inventors. I was satisfied with the explanation provided at the time and, accordingly, named Denis P. Snider, Brian J. Underdown and Mark R. McDermott as coinventors. I did not separately discuss the question of inventorship with Drs. Underdown and McDermott at the time.

4. Following filing of the application, I reported the filing of the application to Dr. Gavin Zealey, Director of Industrial Property, Connaught Laboratories Limited, who are the owners of the invention, with a request that the

Declaration and Power of Attorney attached to a copy of the specification as filed be signed by the three named inventors.

5. In or about mid-August 1996, Dr. Gavin Zealey advised me that he had presented the Declaration for signature by the three named inventors. Dr. Zealey advised me that, following their careful review of the specification as filed, the named inventors Brian J. Underdown and Mark R. McDermott did not consider themselves to be inventors of the subject matter claimed in the application and that the sole inventor was Denis P. Snider.

6. Upon receipt of this information, I prepared the Petition under 37 CFR 1.48(a) that this Declaration accompanies and requested Dr. Gavin Zealey to arrange for execution of a Declaration and Power of Attorney attached to a copy of the specification as filed by Denis P. Snider as sole inventor.

7. The Petition that this Declaration accompanies is being submitted as soon as practicable following the discovery of the error, having regard to the necessity to obtain execution of several papers in connection therewith.

8. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Declared at Toronto, Ontario, August 23, 1996.



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Michael I. Stewart

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Our Ref: 1038-5988 MIS:jb

In re patent application

Application No.: 08/634,039

Applicant: Denis P. Snider

Title: METHODS AND COMPOSITIONS CONTAINING  
ANTIGENS HAVING A TARGETING MOIETY  
SPECIFIC FOR ANTIGEN PRESENTING CELLS  
FOR INTRANASAL IMMUNIZATION

Filed: April 17, 1996

Group No.:

Examiner:

DECLARATION UNDER 37 C.F.R. 1.148(a)

I, Mark R. McDermott of 418 Seneca Avenue,  
Burlington, Ontario, Canada, L7R 3A2 declare as follows:

1. I have read the Declaration of Michael I. Stewart  
under 37 CFR 1.48(a) dated August 23, 1996 and agree with  
the contents thereof.

2. I now consider myself to be the sole inventor of  
the subject matter claimed in this application.

3. I further declare that all statements made herein  
of my own knowledge are true and that all statements made  
on information and belief are believed to be true; and  
further that these statements were made with the knowledge  
that willful false statements and the like so made are  
punishable by fine or imprisonment, or both, under Section  
1001 of Title 18 of the United States Code, and that such  
willful false statements may jeopardize the validity of  
this application or any patent issuing thereon.

Declared at *HAMILTON*, 5<sup>TH</sup> day of *November*  
, 1996.



Mark R. McDermott

MAIL ROOM

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Our Ref: 1038-5988 MIS:jb

In re patent application

Application No.: 08/634,039

Applicant: Denis P. Snider

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FOR INTRANASAL IMMUNIZATION

Filed: April 17, 1996

Group No.:

Examiner:

DECLARATION UNDER 37 C.F.R. 1.148(a)

I, Denis P. Snider of 393 Aberdeen Avenue,  
Hamilton, Ontario, Canada, L8P 2R5 declare as follows:

1. I have read the Declaration of Michael I. Stewart  
under 37 CFR 1.48(a) dated August 23, 1996 and agree with  
the contents thereof.

2. I now consider myself to be the sole inventor of  
the subject matter claimed in this application.

3. I further declare that all statements made herein  
of my own knowledge are true and that all statements made  
on information and belief are believed to be true; and  
further that these statements were made with the knowledge  
that willful false statements and the like so made are  
punishable by fine or imprisonment, or both, under Section  
1001 of Title 18 of the United States Code, and that such  
willful false statements may jeopardize the validity of  
this application or any patent issuing thereon.

Declared at \_\_\_\_\_ day of \_\_\_\_\_  
, 1996.

  
\_\_\_\_\_  
Denis P. Snider

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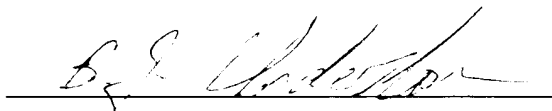
Examiner:

DECLARATION UNDER 37 C.F.R. 1.148(a)

I, Brian J. Underdown of 58 Mountain Avenue, Hamilton, Canada,  
L8P 4G2 declare as follows:

1. I have read the Declaration of Michael I. Stewart under 37 CFR 1.48(a) dated August 23, 1996 and agree with the contents thereof.
2. I do not consider myself to be an inventor of the subject matter claimed in this application.
3. I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

Declared at *HAMILTON, Ontario* this *5<sup>th</sup>* day of *November*, 1996.



Brian J. Underdown